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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of the Secretary

In re Applications of

GOLDEN CORNERS BROADCASTING, INC.
(hereafter "GCBI")

FISHER COMMUNICATIONS OF
CLEMSON, INC.
(hereafter "Fisher")

CLEMSON BROADCASTING, INC.
(hereafter "CBI")

For Construction Permit
for a New FM Station
on Channel 285A (104.9 MHz)
in Clemson, South Carolina

MM Docket No. 92-50

File No. BPH-901218MH

File No. BPH-901219MB

File No. BPH-901219MD

TO: The Honorable Walter C. Miller
Administrative Law Judge

SUPPLEMENT TO
JOINT PETITION FOR APPROVAL OF SETTLEMENT AGREEMENT

Golden Corners Broadcasting, Inc., Fisher Communications of Clemson, Inc., and Clemson Broadcasting, Inc., by counsel, seek to supplement the Joint Petition for Approval of Settlement Agreement and its attachments with the following corrections. The need for these has become evident since filing this Joint Petition on May 4, 1992, and the parties wish to ensure that the record is both correct and complete.

In responding to an inquiry from counsel for the Bureau, we noted that on page two of the Joint Petition, in

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paragraph 2, it the dollar figure which Fisher is being reimbursed by GCBI should have more accurately read \$10,117.47, as specified in the Settlement Agreement at page three, paragraph 4, as Fisher is seeking a refund of its hearing fee from the Commission.

Bureau counsel also requested a more detailed explanation of Fisher's expenses and, for the early convenience of Bureau counsel, a facsimile of Fisher's Declaration is attached hereto (to be supplemented with the original). In the course of preparing this Declaration, all receipts were reviewed, and it was determined that Fisher's reimbursable legitimate and prudent expenses are only \$7,617.47, plus the hearing fee paid to the Commission. Therefore, the parties have agreed that GCBI and CBI will reimburse Fisher the sum of \$7,617.47 rather than \$10,117.47.

On page two of the Operating Agreement, paragraph II.A.1., the dollar figure of the parties' equity contributions were inadvertently omitted. A corrected page is attached hereto.

Counsel regrets any inconvenience to Bureau counsel and to the Presiding Officer occasioned by the need for these corrections. Counsel for GCBI and CBI also take this opportunity to inform Bureau counsel and the Presiding Officer that an amendment to the GCBI application specifying the new merged structure is being prepared and will be filed as soon as local counsel completes the formalities

establishing the new corporation with the Secretary of State
for the State of South Carolina.

Respectfully submitted,

FISHER COMMUNICATIONS OF
CLEMSON, INC.

GOLDEN CORNERS BROADCASTING,
INC.

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CLEMSON BROADCASTING, INC.

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May 8, 1992

Its Counsel

E. Authority of Officers, Directors and Stockholders.

1. Pursuant to the general principles of corporation law, the Officers of NEWCO shall have sole authority to bind the corporation and to enter into agreements on behalf of the corporation in order to fulfill their responsibilities as detailed in this Agreement. Any agreements outside of the scope of these responsibilities or of Board policy must be approved by the Board of Directors.
2. The Board of Directors shall oversee corporate policy and operations. Unless otherwise specified in this Agreement, the votes of a majority of the Board of Directors shall govern all matters before it.
3. Changes in corporate by-laws shall be approved by the Board of Directors. Changes in the Articles of Incorporation as well as the authorization for issuance of additional stock, except as provided in Section II.A.2., shall be unanimously approved by the stockholders.

II. Capitalization and Financing. The corporation shall be financed as follows.

A. Equity.

1. The stock of NEWCO, referenced in Section I.A., will be purchased by contributions as follows. Golden Corners Broadcasting, Inc. contributes \$23,468.27, which is the total of its legitimate and prudent expenses in pursuing its application for this FM station before the Federal Communications Commission; Lee, \$6,696.45, and Clark, \$6,696.45, the total of which sum likewise represents the legitimate and prudent expenses of Clemson Broadcasting, Inc., in which Clark and Lee are the sole shareholders, in pursuing its application for this FM station before the Federal Communications Commission.
2. Pursuant to the provisions of Section II.B. below, it may be necessary from time to time to issue calls for capital contributions from the shareholders to maintain the debt-to-equity ratio. Such calls for capital contributions shall be based upon the then-existing proportionate stockholder interests in NEWCO. Should any stockholder fail to meet a call for capital contribution, such stockholder's interest in the corporation shall be reduced relative to the

DECLARATION

I, JoAnn S. Fisher, President of Fisher Communications of Clemson, Inc. ("Fisher"), do hereby declare under penalty of perjury that the following is true and correct:

1. Fisher is an applicant for a construction permit for a new FM station on Channel 285A in Clemson, South Carolina (File No. BPH-901219MB).

2. No consideration has been or will be given by Golden Corners Broadcasting, Inc. or Clemson Broadcasting, Inc. to obtain the dismissal of the Fisher application, except as provided for in the settlement agreement. This consideration, in an amount not to exceed \$14,377.47, represents the total of the legitimate and prudent expenses of Fisher in preparing and prosecuting its application, including the effectuation of the settlement agreement.

3. Fisher paid \$195.00 to Rodney C. Jernigan, attorney, for incorporating Fisher. Fisher paid \$50.20 to the Mail Box for Federal Express and postage. Fisher paid \$2,030.00 to the FCC for the application filing fee. Fisher paid Earl Stanley, attorney, a total of \$3,646.02, for legal correspondence, advice, telephone conferences with opposing counsel, preparation of the application, preparation of an amendment, research, review of competing applications, drafting agreements, public file instructions, and expenses. Fisher owes Gary Smithwick, attorney, \$1,567.50 for reviewing documents, telephone conferences, research, preparation of affidavits, review of settlement documents, and expenses. Fisher paid the Clemann

Messenger newspaper \$25.00 for advertising public notice in connection with the application. Fisher paid the South Carolina Tax Commission \$25.00 in connection with its incorporation. Fisher paid the Journal Tribune newspaper \$78.75 for advertising charges in connection with the public notice. Fisher paid \$6,760.00 to the FCC for a hearing fee, but will seek reimbursement independently and will not be reimbursed by the other applicants for the fee.

4. The above itemization represents the total legal expenses incurred or to be incurred by Fisher in preparing and prosecuting (including settlement) its application for a construction permit for a new station at Clemson, South Carolina. (I have learned that Fisher is not entitled to reimbursement of \$2,500.00 previously claimed for engineering services by Bromo Communications, since a Bromo principal is also a non-voting stockholder of Fisher.) This explains the reduction in reimbursement amount from \$16,877.47 to \$14,377.47.

Executed this 8th day of May, 1992.

FISHER COMMUNICATIONS OF CLEMSON, INC.

By: JOHN S. FISHER
JOHN S. Fisher
President

CERTIFICATE OF SERVICE

I, Angela P. Fitzgerald, a secretary with the law firm Venable, Baetjer, Howard & Civiletti, hereby certify that a copy of the foregoing Supplement to Joint Petition for Approval of Settlement Agreement was served by U.S. Mail on the following, this the 8th day of May, 1992.

*The Honorable Walter C. Miller
Administrative Law Judge
Federal Communications Commission
2000 L Street, N.W., Room 213
Washington, D.C. 20554

*Y. Paulette Laden
Hearing Branch
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 7212
Washington, D.C. 20554

Angela P. Fitzgerald

* by hand delivery